

REMARKS

Claims 1-4 and 6 are presently pending in the application.

Claim 5, previously withdrawn from consideration in response to a Restriction Requirement, has been canceled. In the *Ex parte Quayle* Action, the Examiner maintains that the Restriction Requirement set forth in Paper No. 7 is proper and now final. The Examiner contends that the lack of unity is found to be proper since the inventions do not constitute a single inventive concept. Specifically, even though claim 1 recites the structural features of claim 2, which was previously allowable, the Examiner maintains that claim 5, directed to a method of using the polymer electrolyte fuel cell, does not recite or share the special technical features of claim 2. Accordingly, the Examiner has allowed claims 1-4 and 6 for the reasons set forth in Paper No. 7, and has closed prosecution on the merits. While not necessarily agreeing with the Examiner's conclusion, Applicants have canceled claim 5 to place the application in condition for allowance. A Notice of Allowance is respectfully requested.

Respectfully submitted,

February 5, 2004
(Date)

By:


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